

February 10, 2004

REPORT OF CONTACT

Subject: Telephone Interview with (b) (6)
(Gulfco Marine Maintenance Site)

From: Janice Bivens, Enforcement Officer (6SF-AC)
Gary G. Miller, Remedial Project Manager (6SF-AP)

To: Casefile

On February 6, 2004, the writer, along with Gary G. Miller, Remedial Project Manager (RPM) assigned to the above site, conducted a telephone interview with the above individual (979.285.0293). Mr. (b) (6), who currently resides at (b) (6), previously lived at (b) (6), in the residential neighborhood adjacent to the former barge-cleaning facility, now a Superfund Site. (b) (6) still owns the residence located on (b) (6), but he and his wife, (b) (6), moved to their current residence in (b) (6) a few years ago. When they first moved to (b) (6) in the early 1980s, (b) (6) recalls that Fish Engineering, and later Hercules, conducted barge-cleaning and repair activities at the facility located on the Intercoastal Canal.

According to (b) (6), his wife developed some "asthma-type" problems after moving to (b) (6), and he was concerned for her health and his own health, as well. (b) (6) stated that individuals had been writing and calling the Texas State Health Department, the local health department, and various city and county offices since at least the 1960's. Some of the residents of his neighborhood were among those who complained. He recalls that EPA and the State EPA folks would visit the site periodically because of complaints of odors from residents who lived nearby. He talked to some of the officials who visited the site and the area, and they told him to "keep calling us" when you have problems. (b) (6) and his wife took the issue of noxious odors to the Freeport City Council on several occasions and on these occasions presented petitions from various concerned residents of his neighborhood. The writer asked (b) (6) for names of some of those who complained, and he stated that many of them are now deceased.

(b) (6) also met with Brazoria County officials and appeared before several local committees, voicing his complaints and concerns about foul odors emanating from the barge-cleaning facility. He recalls that Fish operated a fairly large operation at the site for several years, and he remembers that at least 2-3 barges docked there on any given day. (b) (6) recalls seeing the codes of "DC" for Dow Chemical and "ETT" for BASF. (b) (6) volunteered that he documented activities at the site with videos and photos spanning a period of several years and

stated he has maintained all correspondence and videos and photos of the facility. This documentation is contained in approximately seven (7) boxes that are now stored in the garage of his current residence in (b) (6).

In approximately 1995, (b) (6) received a letter from a law firm representing Hercules. stating that Hercules had filed a suit against him, citing "frivolous" charges and asked for \$1M in compensation. (b) (6) and his wife filed a cross-petition against Hercules, asking for relief and monetary damages. Later in 1996, (b) (6) stated that Hercules was indicted by a Federal Grand Jury on thirteen (13) counts of air violations, resulting from investigations made by the State and Federal EPA. Hercules paid \$10,000 in fines, according to (b) (6), and the company filed for bankruptcy shortly thereafter. He recalls the bankruptcy trustee sold the property to an individual named (b) (6), who lives in (b) (6). Later, (b) (6) leased the property for a short period of time to someone, but he does not recall the name of that company.

(b) (6) stated that he is willing to answer any questions that EPA may have in connection with what he recalls about activities and operations related to the Fish or Hercules operations. He would like for EPA to mail him a formal request, such as EPA's Request for Information letter, however, before releasing copies of any documents to EPA that he has in the boxes stored in his garage.

Gary and the writer advised (b) (6) that EPA will begin drafting the letter requesting information and will proceed to make arrangements for copies to be made of documents in (b) (6) possession.